

U.S. Patent Application Serial No. 09/813,129  
Amendment dated February 13, 2004  
Reply to OA of October 20, 2003

**REMARKS**

Claims 1 and 2 are currently being examined, of which claim 1 has been amended. No new claims have been added. It is respectfully believed that no new matter has been added.

Before turning to the cited references, a brief review of the present invention is in order. The deposited-film forming apparatus according to the present invention can exhibit a substantially improved effect when a deposited film is formed by a resistance heating technology which is attended with a large radiant heat from an evaporating section for a depositing material, and which is employed in a vacuum vapor deposition process, an ion plating process and the like. Especially, in a technology in which a depositing material is continuously supplied to an evaporating section heated by supplying of electric current, where it is molten, it is necessary to heat the entire evaporating section to a higher temperature. As a result, the radiant heat from the evaporating section is very large and hence, the apparatus exhibits a substantially improved effect. These features are described in the specification. See page 9, line 23 through to page 10, line 10, for example.

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Claims 1 and 2 stand rejected under the 35 USC 102(e) as being anticipated by USP 6,280,792 (**Tochishita '792**).

Applicants respectfully traverse this rejection.

**Tochishita '792** describes a process for surface-treating a plurality of works which includes the step of surface-treating the works in a treating chamber, while rotating the works about their axes in spaced apart states. **Tochishita '792** describes an evaporation source 42 in FIG. 8. **Tochishita '792** fails to describe, teach, or suggest that the evaporation source 42 receives electric current and heats a depositing material by resistance heating, with the depositing material being molten at the evaporation source 42.

**Tochishita '792** does not describe, teach, or suggest the features of claim 1, as amended, relating to "said evaporating section receives electric current and heats the at least one depositing material by resistance heating, with the at least one depositing material being molten at said evaporating section", in combination with the other claimed features.

Thus, Applicants respectfully submit that this rejection should be withdrawn.

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Claims 1 and 2 stand rejected under the 35 USC 102(a) as being anticipated by European Patent Application EP 0992605 A2 (**Tochishita '605**).

Applicants respectfully traverse this rejection.

**Tochishita '605** describes a process for surface-treating a plurality of works, the surfaces of the works being treated in a treating chamber, while rotating the works about their axes. **Tochishita '605** describes an evaporation source 42 in FIG. 8. **Tochishita '605** fails to describe, teach, or suggest that the evaporation source 42 receives electric current and heats a depositing material by resistance heating, with the depositing material being molten at the evaporation source 42.

**Tochishita '605** does not describe, teach, or suggest the features of claim 1, as amended, relating to "said evaporating section receives electric current and heats the at least one depositing material by resistance heating, with the at least one depositing material being molten at said evaporating section", in combination with the other claimed features.

Thus, Applicants respectfully submit that this rejection should be withdrawn.

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Applicants submit herewith an English translation of a certified copy of Japanese Application No. 2000-081142, and a statement that the translation is a full and faithful translation.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP



Darren R. Crew  
Attorney for Applicant  
Reg. No. 37,806

DRC/llf  
Atty. Docket No. 010337  
Suite 1000  
1725 K Street, N.W.  
Washington, D.C. 20006  
(202) 659-2930

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PATENT TRADEMARK OFFICE

Enclosures: Verified English translation of Japanese Patent Application No. 2000-081142  
Petition for Extension of Time